

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE ORGANOGENESIS SECURITIES
LITIGATION

Case No.: 1:04cv10027-JLT

**ASSENTED-TO MOTION FOR LEAVE TO SUBMIT SUPPLEMENTAL AUTHORITY
IN SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Plaintiffs, by their counsel, respectfully request leave to submit to the Court the recent transcript and decision in *In re Merck & Co. Sec., Derivative & "ERISA" Litig.*, Nos. 2:05-CV-01151, 2:05-CV-02367 (SRC-MF) (D.N.J. Jan. 25, 2007), which is relevant to Plaintiffs' Motion for Class Certification. The transcript and decision are attached hereto as exhibits A and B respectively. *See* Exhibit A, Part 2, at pp. 11-12.

Dated: January 31, 2007

MOULTON & GANS, P.C.

By: /s/ Nancy Freeman Gans
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LOCAL RULE 7.1 CERTIFICATE

I, Nancy Freeman Gans, hereby certify that I conferred via email on January 30-31, 2007, concerning the above motion with Jonathan A. Shapiro, Esquire, Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Defendants Donna Abelli Lopolito, Michael Sabolinski, Philip Laughlin, and Albert Erani; with Peter Saparoff, Esquire, Mintz, Levin, Cohn, Feris Glovsky and Popeo, P.C., counsel for Defendant Herbert M. Stein; and with Sara Jane Shanahan, Esquire, Griesinger, Tighe & Maffei, LLP, counsel for Defendant John J. Arcari. Defendants assent to this Motion.

/s/ Nancy Freeman Gans
Nancy Freeman Gans

CERTIFICATE OF SERVICE

I, Nancy Freeman Gans, hereby certify that the above document was served by ECF filing upon the attorney of record for each party on January 31, 2007.

/s/ Nancy Freeman Gans
Nancy Freeman Gans